UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,272	08/14/2001	Thomas J. Perkowski	100-002USANB0	8374

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EXAMINER
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ART UNIT	PAPER NUMBER
3625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/929,272			

EXAMINER

ART UNIT	PAPER

20061122

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Amendment Non-Responsive-Impermissible Shift

1.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

   I.   Claims 18-24, drawn to a system and parallel method of finding information

           pertaining to a particular service on the Internet, classified in class 705, subclass 26.

   II.   Claims 45-51, drawn to a system and method for delivering consumer service

           information, classified in class 705, subclass 26.

The inventions are distinct, each from the other because of the following reasons:

2.   Inventions I and II are related as subcombinations disclosed as usable together in a single

combination. The subcombinations are distinct if they do not overlap in scope and are not

obvious variants, and if it is shown that at least one subcombination is separately usable. In the

instant case, subcombination II has separate utility such as providing SIDs having servicemarks

and services descriptions symbolically linked to each SID, and creating and maintaining a data link

between each of the SID, servicemark, and service description. See MPEP § 806.05(d).

        Additionally, Independent claims 18 and 22 recite a system and parallel method of finding

information pertaining to a particular service on the Internet by storing a plurality of universal service

numbers, each USN having a symbolically linked URL. Newly added claims 45 and 48 are directed

to a method for delivering consumer service information. Claim 45 (and parallel claim 48) recite the

use of SIDs (service identifiers), those SIDs having servicemarks and services descriptions

symbolically linked to each SID. Furthermore, claim 45 also recites creating and maintaining a data

link between each of the SID, servicemark, service description, and URL. Nowhere in previously

presented claims 18 and 22 or their respective dependents does there appear a recitation of a plurality

of SIDs with symbolically linked servicemarks and services descriptions to each SID, nor is there a

recitation of creating and maintaining a data link between each of a SID, servicemark, service

description, and URL.

Because these inventions are independent or distinct for the reasons given above and

there would be a serious burden on the examiner if restriction is not required because the

inventions require a different field of search (see MPEP § 808.02), restriction for examination

purposes as indicated is proper.

The amendment filed on October 10, 2006 cancels original claims 18-24 and adds new

claims 45-51. New claims 45-51 recite a patentably distinct invention not originally presented. The

amendment leaves no claims directed to the originally presented invention. An amendment

presenting only claims to a non-elected invention is non-responsive (MPEP 821.03).

Claims added by amendment following action by the examiner, MPEP § 818.01, §818.02(a),

to an invention other than previously claimed, should be treated as indicated by 37 CFR 1.145.

The remaining claims are not readable on the elected invention because the inventions

now presented would have been subject to a restriction requirement as demonstrated above had

they been originally been presented with the inventions actually originally presented.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant

is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from

the mailing date of this notice within which to supply the omission or correction in order to avoid

abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE

AVAILABLE.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to William J. Allen whose telephone number is (571) 272-1443. The examiner

can normally be reached on 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Jeff A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may

be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

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assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J. Allen
Patent Examiner
November 22, 2006

YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600